



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO
08/067,275	05/26/93	ARE	F WATK0404

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AIM1/0720

PAL EXAMINER	
ART UNIT	PAPER NUMBER
1106	15

DATE MAILED: 07/20/95

Below is a communication from the EXAMINER in charge of this application  
COMMISSIONER OF PATENTS AND TRADEMARKS

### ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run 5 Months or continues to run \_\_\_\_\_ from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).
- ☒ Applicant's response to the final rejection, filed 6/20/95 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- a. ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
  - b. ☐ They raise new issues that would require further consideration and/or search. (See Note).
  - c. ☐ They raise the issue of new matter. (See Note).
  - d. ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
3. ☐ Upon the filing an appeal, the proposed amendment ☐ will be entered ☐ will not be entered and the status of the claims will be as follows:

Claims allowed: \_\_\_\_\_  
Claims objected to: \_\_\_\_\_  
Claims rejected: \_\_\_\_\_

However;

- ☐ Applicant's response has overcome the following rejection(s): \_\_\_\_\_

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because reason in attachment
5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

- ☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.
- ☐ Other

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**ATTACHMENT**

**TO ADVISORY ACTION (PTOL 303)**

Applicants have filed only a "RESPONSE" (Request for Reconsideration) to the previous action from the Patent Office. The claims as finally rejected remain unchanged.

*The period for Applicant's response has been EXTENDED to run FIVE (5) MONTHS from the date of mailing of the final rejection.*

An *additional* extension of time must be obtained by filing a petition under 37 C.F.R. § 1.136(a) accompanied by a subsequently filed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee.

***Current Status of Claims***

The **Remarks** filed June 20, 1995 under 37 C.F.R. § 1.116 in response to the final rejection has been entered into record and fully considered (along with any other papers or declarations filed, if any), but is not deemed to place the application in condition for allowance. The status of the claims is as follows:

Allowed claims: NONE  
Rejected claims: 1-6, 11-12  
Claims cancelled during prosecution: 7-10  
Claims objected to: NONE  
Claims withdrawn from consideration: NONE

However, the REMARKS (and any other supporting papers or declarations) will NOT overcome the existing rejection because the claims require the catalyst to be a mixture of a zeolite and a heat resistant oxide loaded with a metal. Ion-exchanged zeolites themselves meet the definition of and are considered to be "heat-resistant oxide loaded with a noble metal". Besides applicants have cited new art JP1139144, published 31-05-1989, which teaches the catalyst comprising a zeolite and a metal-loaded alumina.

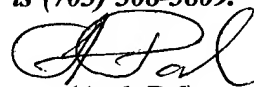
*If applicant(s) decides to file an appeal brief,  
the brief should be directed to the claims as finally rejected.*

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*Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Asok Pal whose telephone number is (703) 308-3809.*



(Asok Pal)

*Primary Patent Examiner  
Art Unit 1106*

*ap:5F  
July 17, 1995*